

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., July 23, 1991.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: Vice Mayor John M. Owen, III.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on July 9, 1991, and the minutes of a called Council meeting held on July 15, 1991, were approved as mailed.

The Consent Agenda consisted of the following items:

Appointment of G. Michael Shelton to serve a two-year term on the Central Virginia Alcohol Safety Action Program Policy Board, said term to expire August 31, 1993.

Appointment of Mrs. Trudy Thaxton to serve a three-year term on the Central Virginia Area Agency on Aging Advisory Council, said term to expire August 31, 1994.

On motion by Councilman Brookshier, seconded by Councilwoman Grahame, voted upon and carried, Council approved the Consent Agenda.

The City Manager stated that during the regularly scheduled meeting of City Council on July 9, Council approved the exchange of .028 acres, more or less, of the City's lake property for .024 acres, more or less, of the property owned by Penny Carter on Lake Drive in order to adjust the boundary between the public right of way of Lake Drive and Ms. Carter's property.

On motion by Councilwoman Grahame, seconded by Councilman Rice, voted upon and carried, Council waived the reading of the proposed ordinance.

The ordinance follows as adopted:

AN ORDINANCE AUTHORIZING AN EXCHANGE OF PROPERTY IN ORDER
TO ADJUST THE BOUNDARY BETWEEN THE PUBLIC RIGHT OF WAY OF

LAKE DRIVE AND THE PROPERTY LOCATED AT 1007 LAKE DRIVE

WHEREAS, a recent plat of survey of the property of Ethrillian P. Carter located at 1107 Lake Drive shows that the paved area of Lake Drive is located on a portion of the property of Ethrillian P. Carter; and

WHEREAS, Ethrillian P. Carter and the officials of the City of Bedford have agreed upon an exchange of property in order to adjust the boundary line of Lake Drive by the conveyance by Ethrillian P. Carter of a strip containing 0.024 acres to the City at the front of her property in exchange for the conveyance by the City of a portion of the City Lake Property at the rear of her property containing 0.028 acres.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

1. The City Council deems it to be in the best interest of the City of Bedford to enter into an exchange of lands with Ethrillian P. Carter pursuant to which Ethrillian P. Carter will convey to the City 0.024 acres located at the front of her property at 1007 Lake Drive in order to assure the City's ownership of the paved portions of Lake Drive and the City will convey to Ethrillian P. Carter a parcel containing 0.028 acres located at the rear of her property which is a part of the City Lake lot, the properties being shown as shaded areas designated Parcel 'A' and Parcel 'B' on a copy of the Plat of Ethrillian P. Carter which is on file with the City Engineering Department.
2. The Mayor and the City Clerk are hereby authorized to execute and deliver a Deed of Exchange in form approved by the City Attorney conveying fee simple title to the 0.028 acres to Ethrillian P. Carter and conveying fee simple title to the 0.024 acres to the City of Bedford, free and clear of any liens.

This ordinance shall take effect immediately.

On motion by Councilwoman Grahame, seconded by Councilman Rice, voted upon and carried by the following roll call vote, Council adopted the ordinance authorizing the exchange of property:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	absent
Councilman Rice	aye

Councilman Vest aye

Mayor Shelton aye

Mr. Ross Rosazza spoke in support of building a new library.

Ms. Sandra Boyes, 1574 Newton Circle, spoke in favor of building a new library.

Mayor Shelton stated that Council had received several letters expressing strong support of building a new library. The Mayor indicated that City Council needs input from citizens on how the library and other projects can be paid for.

The City Manager stated that Mr. Ed. Lazon, principal in the firm of The Design Collaborative, was employed by the Regional Library Board to undertake a Master Plan for a proposed new regional library facility to be located at 321 North Bridge Street. He stated that during the Council meeting of July 9, the Plan was presented to Council and the citizens during a public hearing. Mr. Gross stated that Council had received copies of the Master Plan. The City Manager said that Council's approval of this Master Plan is necessary in order to submit the application for the Library Services and Construction Act Grant (LSCG). He said that Council's approval of the Master Plan does not obligate Council

to submit that application.

Councilwoman Grahame moved that Council approve the Master Plan for the construction of a new regional library facility at 321 North Bridge Street as prepared by The Design Collaborative. The motion was seconded by Councilman Brookshier, voted upon and carried.

The City Manager stated that Council had received information provided by the Director of the Bedford Public Library, regarding the actions required to be taken in connection with the submittal of an application for Library Services and Construction Act Grant funds. He stated that one of these requested actions is the adoption by City Council of a resolution authorizing the City Manager to submit the appropriate documents for the grant application.

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, following meetings with citizens represent-ing various civic, historic and cultural groups, and a public hearing held during a City Council meeting, the City of Bedford wishes to apply for \$250,000 of Library Services and Construction Act Title II construction grant funds administered through the Virginia State Library Board to assist in the construction of a new Bedford Public Library facility at 321 North Bridge Street, Bedford, Virginia; and

WHEREAS, the City of Bedford, for the benefit of its citizens, hereby confirms its commitment to appropriate the necessary funds in conjunction with receiving a Library Services and Construction Act Grant to develop this project from the design phase through the construction and occupation phases. But for receiving the funds from the Library Services and Construction Act Grant, the City would not be able to construct this facility;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bedford, Virginia, that the City Manager be and he is hereby authorized to execute and submit the

appropriate documents for the Library Services and Construction Act Grant Application.

On motion by Councilman Brookshier, seconded by Councilman Rice, voted upon and carried, Council adopted the resolution authorizing the City Manager to execute and submit the appropriate documents for the Library Services and Construction Act Grant Application:

Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	absent
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The City Manager stated that Council had received copies of a contract with The Design Collaborative to provide engineering and design services for the construction of the Bedford Regional Library facility at a cost not to exceed \$227,000. Mr. Gross stated that the contract has been reviewed by the Regional Library Board and the staff.

Discussion ensued.

Councilman Rice moved that Council approve the contract with The Design Collaborative to provide architectural and engineering services associated with the construction of a new regional library facility at 321 North Bridge Street and authorize the City Manager to execute the contract on behalf of the City, subject to the award and the consideration by City Council of the acceptance of the LSCA grant. The motion was seconded by Councilwoman Grahame, voted upon and carried.

The City Manager stated that members of Council had received copies of the application which the Keep Bedford Beautiful Commission is required to submit to the Virginia Department of Waste Management for Fiscal Year 1991-92 grant funds in the amount of \$2,700.

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, the Virginia Waste Management Act provides for the allocation of public funds for the purpose of enhancing litter control and recycling activities; and

WHEREAS, these funds are provided through the Virginia Department of Waste Management to Virginia localities by annual grants; and

WHEREAS, having reviewed and accepted the Guidelines for use of said funds;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Bedford, as indicated in the attached Application, hereby endorses and supports such a program for the City of Bedford and hereby authorizes Jack A. Gross, City Manager, to plan, budget, and apply for a grant.

Councilman Brookshier moved that the resolution be adopted as read. The motion was seconded by Councilman Vest, voted upon and carried by the following roll call vote:

Councilman Otey	aye
Vice Mayor Owen	absent
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Mayor Shelton	aye

The City Manager stated that Council had received copies of an ordinance which readopts and reenacts Section 13-2 of the City Code, incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation. He said that failure to adopt this ordinance would mean that offenders would have to be charged under the State law rather than the City law; and any fines collected would then be payable to the State rather than to the City.

On motion by Councilman Brookshier, seconded by Councilman Rice, voted upon and carried, Council waived the reading of the proposed ordinance.

The ordinance follows as adopted:

AN ORDINANCE TO READOPT AND REENACT SECTION 13.2 OF THE
CITY CODE INCORPORATING BY REFERENCE CURRENT PROVISIONS
OF THE CODE OF VIRGINIA DEALING WITH TRAFFIC LAWS AND

MOTOR VEHICLE OPERATION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD, VIRGINIA;

Section 1. Sec. 13-2 of the City Code is hereby readopted and re-enacted as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 in Article 9 (Sec. 16.1-278 et seq) of Chapter 11 of Title 16.1, and Article 2 (Sec. 18.2-266 et seq) of Chapter 7 of Title 18.2, of the Code of Virginia, except those provisions and requirements the violation of which constitute the felony, and except those provisions and requirements which by their very nature can have no application to or within the City, are hereby adopted and incorporated herein by reference and made applicable within the City. References to "Highways of the State" contained in such provisions and requirements hereby adopted, shall be deemed to refer to streets, highways and other public ways within the City. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as those set forth at length herein, and it shall be unlawful for any person, within the City, to violate or fail, neglect or refuse to comply with any provisions of Title 46.2 or of Article 9 of Chapter 11 of Title 16.1 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, which are adopted by this Section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under such titles of the Code of Virginia.

Section 2. This Ordinance shall become effective upon publication one time, immediately following its passage, in some newspaper published in the City or upon posting at three or more public places in the City for one week, as required by Section 19 of the City Charter.

Councilwoman Grahame moved that the ordinance be adopted. The motion was seconded by Councilman Otey, voted upon and carried by the following roll call vote:

Vice Mayor Owen	absent
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Mayor Shelton	aye

Mayor Shelton adjourned the meeting at 8:02 p.m.

